

**BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA**

CRAIG MARNEY,
Charging Party,
-v-
YELLOWSTONE COUNTY,
Respondent

Case No.: 0041010997

**ORDER AFFIRMING NOTICE
OF DISMISSAL**

On September 28, 2004, the Human Rights Bureau issued a Final Investigative Report and corresponding Notice of Dismissal and Notice of Right to Sue in the above-captioned matter. Charging Party, Craig Marney (Marney), filed objections with the Montana Human Rights Commission (Commission). The Commission considered the matter on January 21, 2005.

In the Final Investigative Report (FIR), the Human Rights Bureau Investigator determined a preponderance of the evidence did not support Marney's assertion that he had been discriminated against by his former employer, Respondent, Yellowstone County, on the basis his political ideas.

After careful and due consideration, the Commission concludes the determination of the Human Rights Bureau is supported by the record and there was no abuse of discretion in the issuance of a Notice of Dismissal. *Admin. R. Mont.*

24.9.1714(3).

Charging Party will have 90 days after the receipt of this order to petition a district court in the district where the alleged violation occurred for the appropriate relief. *Mont.*

Code Ann. § 49-2-509(5) (2003); Admin. R. Mont. 24.9.1714(5). If Charging Party fails to commence a civil action within 90 days, the claim is time barred. *Id.*

IT IS HEREBY ORDERED, that Charging Party's objection is overruled. The Commission adopts the determination of the Human Rights Bureau and the Notice of Dismissal is affirmed.

DATED this ____ day of January 2005.

Chair Gary Hindoien
Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the forgoing Human Rights Commission ORDER was served on the following persons by U.S. mail, postage prepaid, on January ____ 2005.

CRAIG MARNEY
940 MARY STREET
BILLINGS, MT 59105

JEFF SIMKOVIC
SIMKOVIC LAW FIRM
PO BOX 1077
BILLINGS MT 59103

KEVIN GILLAN
DEPUTY YELLOWSTONE COUNTY ATTORNEY
P.O. BOX 35025
BILLINGS, MT 59107-5025

MARIEKE BECK
DEPARTMENT OF LABOR AND INDUSTRY
OFFICE OF LEGAL SERVICES
PO BOX 1728
HELENA MT 59624

Montana Human Rights Bureau